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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/520,191	01/04/2005	Yelena Shulepova	NL 020613	7687

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PHILIPS INTELLECTUAL PROPERTY & STANDARDS
P.O. BOX 3001
BRIARCLIFF MANOR, NY 10510

EXAMINER

PRITCHETT, JOSHUA L

ART UNIT	PAPER NUMBER
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2872

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	04/03/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/520,191

Applicant(s)

SHULEPOVA ET AL.

Examiner

Joshua L. Pritchett

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 February 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 and 11-16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9 and 11-16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 04 January 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

This action is in response to Amendment filed February 14, 2007. Claims 1-9 have been amended, claim 10 has been cancelled and claims 11-16 have been added as requested by the applicant.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-7 and 11-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tanaka (US 5,550,657) in view of Hattori (JP 02-221829).

Regarding claims 1 and 11, Tanaka teaches an optical lens component comprising a central lens element (23) having an optical axis and located centrally of a circumjacent mounting portion (Fig. 3) having spaced parallel surfaces that extend perpendicularly to the optical axis (interfaces between 23 and 27 and 23 and 26), at least one of the spaced parallel surfaces being provided with a non-random light-scattering structure (26) for coupling out light entering the mounting portion (Fig. 3). Tanaka teaches the light absorbing means (22a) are provided adjacent

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at least one non-random light-scattering structure (Fig. 3; col. 7 lines 66-67). Tanaka lacks reference to the light absorbing means adjacent the non-random light-scattering structure. Hattori teaches the use of a light absorbing means adjacent the light scattering structure (abstract). The clad layer of Hattori provides both light absorption and light scattering. It would have been obvious to one of ordinary skill in the art at the time the invention was made to have the Tanaka invention include the light absorbing means adjacent the light scattering structure as taught by Hattori for the purpose of achieve even brightness for a projected image.

Regarding claims 2 and 12, Tanaka teaches the non-random light-scattering structure comprises indentations having parallel light-scattering surfaces with predetermined inclinations relative to the spaced parallel surfaces (Fig. 3).

Regarding claims 3 and 13, Tanaka teaches the indentations comprise at least one array of concentric circular indentations centered on the optical axis of the lens element (Fig. 25). Examiner interprets "concentric circular indentations" to be similar to those shown in Figs. 3-4 of the current application, since these are the only drawings that show views of the indentations. The indentations of Fig. 25 in Tanaka resemble the indentations shown in Figs. 3-4 of current application.

Regarding claims 4 and 14, Tanaka teaches the indentations in at least one array have triangularly shaped cross sections in a plane in which the optical axis of the lens is located (Fig. 3).

Regarding claims 5 and 15, Tanaka teaches all indentations have identically shaped cross sections in at least one array (Fig. 3).

Regarding claims 6 and 16, Tanaka teaches the triangular shape is asymmetrical relative to a local perpendicular (Fig. 25).

Regarding claim 7, Tanaka teaches the triangular shape comprises a right angled triangle having one leg lying in the plane of the respective spaces parallel surface of the mounting portion, the second leg being disposed on the side of the triangle facing the central axis (Fig. 25).

Claims 8 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tanaka (US 5,550,657) in view of Hattori (JP 02-221829) as applied to claim 1 above further in view of Ohkawa (US 6,568,820).

Tanaka in combination with Hattori teaches the invention as claimed but lacks reference to molding. Ohkawa teaches the use of molding to create the an optical lens element (col. 6 lines 11-24). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have the Tanaka in combination with Hattori invention created by molding as taught by Ohkawa for the purpose of precise and efficient reproduction of the light-scattering structure.

Response to Arguments

Applicant's arguments, see Amendment, filed February 14, 2007, with respect to the rejection(s) of claim(s) 1 under Tanaka have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration of the newly amended claim language, a new ground(s) of rejection is made in view of Hattori. Applicant

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amended the claim to include the limitations of claim 10 along with additional limitations not previously claimed. The Tanaka reference failed to teach the spatial relationship between the light absorbing and light scattering layers and the Hattori reference was added to teach the newly claimed spatial relationship as stated in the rejection above.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joshua L. Pritchett whose telephone number is 571-272-2318. The examiner can normally be reached on Monday - Friday 7:00 - 3:30.

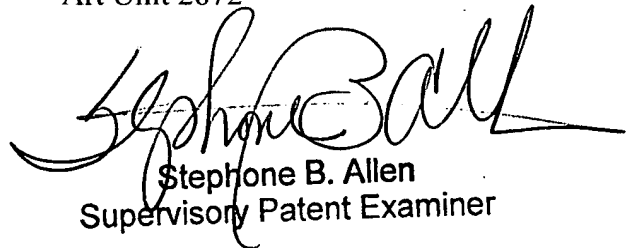
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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephone Allen can be reached on 571-272-2434. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Joshua L Pritchett
Examiner
Art Unit 2872



Stephone B. Allen
Supervisory Patent Examiner